

**Notice of Allowability**

Application No.

09/717,576

Examiner

John M. Winter

Applicant(s)

FAIRCLOUGH ET AL.

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper filed on December 14, 2005.
2. ☒ The allowed claim(s) is/are 1,4,7,9,10,11,16-19 and 23 -26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## DETAILED ACTION

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Albin H. Gess on March 21, 2006.

#### Claim 23

A method for printing and verifying checks over a network for a customer to remotely purchase goods or services from a merchant using a check printed by the merchant, the method comprising;

A customer utilizing a web browser to make a purchase selection, preview the check before it is printed and authorize printing of the check.

a merchant printing downloading a merchant file from a check server accessed via the Internet and utilizing the merchant file to print a check including magnetic ink characters that identify a customer's checking account in a first location as payment for a customer's selection, from a second location remote from the first location, of goods and/or services offered by the merchant; where the check is being a negotiable instrument when printed by the merchant.

#### Claim 26,

The method of claim 23 further comprising:

~~using a web browser on a client computer to connect~~ connecting by a customer computer to a merchant web server at a location remote from the ~~customer client~~ computer, ~~view~~ viewing a merchant web site located on the merchant server and comprising hypertext markup language (HTML) source code and a merchant database, ~~select~~ selecting goods or services from the web site, and ~~select~~ selecting payment by check for the selected goods and services, where payment selection is accomplished by means allowed by the HTML source code of the merchant web site; then using the HTML source code of the merchant web site to cause the web browser to connect to a check web server that is not the merchant web server or the client computer, where the web server includes a check server database, transmit customer data stored in the merchant database to the check server, transmit transaction data to the check server, the transaction data including an indicator of whether to print a check immediately or at a later time; then using the web browser on the client computer to display a request from the check server for customer data ~~where displaying the request causes data stored in the merchant database and transmitted to the check server to be displayed as filled in~~ with fields, filled in by customer data in the merchant database; passing a

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unique number generated by the check server and used to associate a proper record in the check server database with the customer to the merchant web server, the merchant web server using the unique number to associate a proper record in the merchant server database with the customer, transmitting magnetic ink character recognition (MICR) line information including a routing number to the check web server, the check web server verifying the validity of the routing number and causing the web browser to prompt the customer for a correct routing number if the routing number is invalid, ~~display a preview of a check to be printed; and using the check web server to obtain~~ obtaining an approval from a check verification web server of a check verification service provided, the approval indicating a guarantee of payment by the check verification service provided, and to ~~store~~ storing the obtained approval in a merchant file. ~~and then downloading the merchant file from the check web server to a printing station and printing the check.~~

***Allowable Subject Matter***

Claims 1,4,7,9,10,11,16-19 and 23 -26 are allowed over the prior art record.

1. The following is an examiner's statement of reasons for allowance:
2. The closest prior art of record Pare, Jr. et al. (US Patent No 6,230,148) teaches a biometric authorization method; Automatic Storage, Retrieval and Visualization of Bank Check Images teaches a method for achieving checks. Mabuchi (JP 63015363) teaches a method for checking operational modes.

What they fail to teach or suggest:

A.

A method for printing and verifying checks over a network comprising the following steps: connecting a client computer to a merchant server at a location remote from the client computer; transmitting an order from the client computer to the merchant server; using the client computer to select payment by check; connecting the client computer to a check server; inputting customer data at the client computer; transmitting customer data from the client computer to the check server; transmitting customer data from the check server to a check verification server; confirming the order or payment by a message from the merchant server to the client computer and the check server by sending an electronic mail message to the client computer and the check server, where the receipt of the confirming message by the check server determines whether printing of the check is permitted transmitting an approval from the check verification server to the check server; storing the approval from the check verification server in a merchant file in a check server; transmitting an approval from the check verification server to the client computer downloading the merchant file from the check server to a check printing station and printing a check including data from the check server as a negotiable instrument at a remote location

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These distinct features render claim 1 allowable.

Claims 4,7 and 9-11 are dependant upon claim 4, and are allowable for at least the same reasons.

B.

A system for settling and verifying checks over a network comprising; a client computer connected via a network to a merchant server at a location remote from the client computer; a merchant server connected to a check printing station, a printer and a check server via a network, the check printing station, the printer, and the check server being at a location remote from the client computer; the check server connected via a network to a check verification server at a location remote from the client computer, the merchant server, the check server, the printing station, and the printer; the check server comprising a merchant file, the merchant file comprising an transmitted from the check verification server, information identifying an order approval transmitted from the client computer to the merchant server, and customer data inputted into the client computer and transmitted from the client computer to the check server; the check printing station comprising a copy of the merchant file downloaded from the check server such that the check printing station can use the downloaded merchant file to print a check using the printer; and the merchant server comprising a mechanism for confirming the order or payment to the client computer and the client verification server.

These distinct features render claim 16 allowable.

Claims 17 - 19 are dependant upon claim 16 and are allowable for at least the same reasons.

C.

A method for printing and verifying checks over a network for a customer to remotely purchase goods or services from a merchant using a check printed by the merchant, the method comprising; a merchant printing a check including magnetic ink characters that identify a customer's checking account in a first location as payment for a customer's selection, from a second location remote from the first location, of goods and/or services offered by the merchant; where the check is a negotiable instrument when printed by the merchant.

These distinct features render claim 23 allowable.

Claims 24 - 26 are dependant upon claim 23 and are allowable for at least the same reasons.

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***Conclusion***

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to John Winter whose telephone number is **(571) 272-6713**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Trammell** can be reached at **(571) 272-6712**. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks****Washington, D.C. 20231**

or faxed to:

**(703) 305-7687** [Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to the Examiner in the Knox Building, 50 Dulany St. Alexandria, VA.

JMW

February 20, 2006



JAMES D. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600